NOTIFICATION

ORDER No. RL. 404—LEGIS. 18-46-2, DATED (CAMP) MYSORE, 4TH OCTOBER 1946.

Ordered that the accompanying Explosive Substances (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 1st day of October 1946, be published as Act No. XLI of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XLI OF 1946.

The Explosive Substances (Emergency) Act, 1946.

(Received the assent of His Highness the Maharaja on the 1st day of October 1946).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to provide for certain matters relating to explosive substances ;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940) ;

It is hereby enacted as follows :—

Short title, extent and application.

1. (1) This Act may be called the Explosive Substances (Emergency) Act, 1946.

(2) It extends to the whole of Mysore and applies also to all subjects of His Highness the Maharaja wherever they may be.

Definition of "explosive substance."

2. In this Act the expression "explosive substance" shall be deemed to include any materials for making any explosive substance ; also any apparatus, machine, implement or material used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance ; also any part of any such apparatus, machine or implement.

3. Any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment for a term which may extend to ten years, to which fine may be added. Punishment for causing explosion likely to endanger life or property.

4. Any person who unlawfully and maliciously — Punishment for attempt to cause explosion, or for making or keeping explosive with intent, to endanger life or property.

(*a*) does any act with intent to cause by an explosive substance, or conspires to cause by an explosive substance, an explosion in Mysore of a nature likely to endanger life or to cause serious injury to property; or

(*b*) makes or has in his possession or under his control any explosive substance with intent by means thereof to endanger life, or cause serious injury to property in Mysore, or to enable any other person by means thereof to endanger life or cause serious injury to property in Mysore:

shall, whether any explosion does or does not take place and whether any injury to person or property has been actually caused or not, be punished with transportation for a term which may extend to twenty years, to which fine may be added, or with imprisonment for a term which may extend to seven years, to which fine may be added.

5. Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be punishable with transportation for a term which may extend to fourteen years, to which fine may be added, or with imprisonment for a term which may extend to five years, to which fine may be added. Punishment for making or possessing explosives under suspicious circumstances.

6. Any person who by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any offence under this Act shall be punished with the punishment provided for the offence. Punishment of abettors.

7. No court shall proceed to the trial of any person for an offence against this Act except with the consent of the Government. Restriction on trial of offences.

A. RAMASWAMI MUDALIAR,

Dewan.